IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH: AT HYDERABAD.

FRIDAY, THE EIGHTEENTH DAY OF JUNE, TWO THOUSAND AND FOUR

PRESENT
HON'BLE SRI JUSTICE DEVINDER GUPTA, CHIEF JUSTICE
AND
HON'BLE Ms JUSTICE G.ROHINI

WRIT PETITION No.9110 of 2004

Between:

Mr.Ch.Vijaya Mohan, S/o Rama Rao, C/o City Auto Agencies, 2nd Cross Road, 5th Block, Auto Nagar, Vijayawada.

Petitioner

And

1. The State of Andhra Pradesh represented by its Commissioner, Prohibition and Excise, Nampally, Hyderabad.
2. The Deputy Commissioner of Prohibition and Excise, (Hyderabad Division), Hyderabad.
3. The Deputy Commissioner of Prohibition and Excise, Guntur.
4. The Station House Officer, Prohibition and Excise Station, Sullurpet.

Respondents.

For the reasons stated in the accompanying affidavit, it is prayed that the Hon'ble Court may be pleased to issue a writ of mandamus declaring that Rule 7 of Andhra Pradesh Prohibition (Compounding of offences) Rules, 2000 vide G.O.Ms.No.496 dated 25-7-2000 wherein the release of vehicle confiscated is limited to offences falling under sub-clause (i) of clause (b) of Section 8 of the Andhra Pradesh Prohibition Act as discriminatory, arbitrary, unreasonable and violative of the rights of the petitioner guaranteed under Article 14 of the Constitution of India and consequently set aside the order of the 3rd respondent in RC No.971/95/A3 dated 29-11-2001 confiscating the vehicle bearing No.AP-16-U-4594 as violative of principles of justice and pass such other order or orders as this Hon'ble Court deems fit and proper in the interest of justice.

For the petitioner : P.Balaji Varma
For the respondents : Govt. Pleader for Prohibition and Excise

The court made the following:

ORAL ORDER: (per the Hon'ble the Chief Justice)

Learned counsel for the petitioner states that due to some inadvertence, he has not claimed proper reliefs and he seeks to withdraw the petition with liberty reserved to file a fresh writ petition.

With leave and liberty granted, the petition is dismissed.

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DEVINDER GUPTA, CJ

18-6-2004

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G.ROHINI, J

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